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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,991	03/16/2004	Toru Yamakawa	50T5627.01	3339
36738	7590	12/27/2007		
ROGITZ & ASSOCIATES 750 B STREET SUITE 3120 SAN DIEGO, CA 92101			EXAMINER NATNAEL, PAULO S M	
			ART UNIT 2622	PAPER NUMBER
			MAIL DATE 12/27/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/801,991

Applicant(s)

YAMAKAWA, TORU

Examiner

Paulos M. Natnael

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on 15 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) 1-18 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 19-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 3/16/04;7/08/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 101***

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims **19-27** are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims **19-27** recite data structure. A “data structure” is “a physical or logical relationship among data elements, designed to support specific data manipulation functions. Data structures fall into the category of non-functional descriptive material. Nonfunctional descriptive material includes but is not limited to music, literary works, and a compilation or mere arrangement of data. When nonfunctional descriptive material is recorded on some computer-readable medium, in a computer or on an electromagnetic carrier signal, it is not statutory since no requisite functionality is present to satisfy the practical application requirement. Merely claiming nonfunctional descriptive material, i.e., abstract ideas, stored on a computer-readable medium, in a computer, or on an electromagnetic carrier signal, does not make it statutory. See MPEP 2106.

Claims **19-27** recite compilation or mere arrangement of data into columns, and therefore are non-statutory.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims **19-27** are rejected under 35 U.S.C. 103(a) as being unpatentable over Ball et al. U.S. Pat. No. 5, 873,759.

Considering claims **19-27**, Ball et al. (hereinafter, "Ball") discloses an apparatus for manufacturing CRT display, comprising a machine-readable recording storing the measured electrical and beam-landing characteristics (abstract; col. 2, lines 51+) that may be stored in a look-up table, and an adjustment stage 220 (Fig.2) to tune the drive circuitry 20 [and] "to optimise performance of the display. Such tuning typically includes adjustment of video cut-off levels and video gains in the video amplifier; adjustment of grid 2 and focus voltages in the EHT generator; and, adjustment of around 15 geometric parameters such picture height, width, and centering in the line and frame deflection circuits...as shown in FIG. 2, the tuning adjustments for each display are performed automatically based on the recorded characteristics 170 corresponding to the CRT 10 incorporated in the display. Specifically, the production line 200 comprises a computer controlled adjustment station 220 automatically tuning each assembled display device to produce the desired output performance..." See, col. 4, line 25+.

Ball discloses display parameters or characteristics such as Beam landing (abstract), geometry and color balance (col. 1, lines 45+). Further, Ball teaches that "the recorded characteristics are stored in a look up table provided by the CRT manufacturer with the corresponding batch of CRTs, the adjustment station 220 is granted access to the look-up table. Each of the batch of CRTs carries a serial number encoded in machine readable form. The adjustment station 220 is provided with a sensor for detecting the serial number. On detection of each serial number, the adjustment station 220 selects the corresponding recorded characteristics from the look-up table and programs the display processor of the display device containing the corresponding CRT 10 accordingly. (See col. 4, lines 25+; emphasis added).

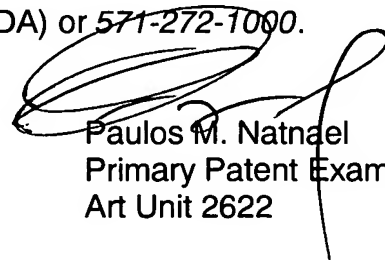
Ball does not specifically disclose the word "data structure". However, as shown above, Ball teaches storing adjustment characteristics, parameters, or adjustment information. Storing such adjustment information in a look-up table, machine-readable recording devices and other such storage devices, whether or not it is called data structure, is notoriously well known in the art of television or display devices. Therefore, it would have been obvious to the skilled in the art at the time the invention was made to modify the system of Ball by providing an adjustment information storage system that is structured in such a way to show the different parameters used in the adjustment process and that can be accessed easily by displaying the data on the screen so that the viewer, such as a supervisory or inspection manager, may be able to use it accordingly while inspecting the TV assembly process on the assembly line or in a remote located computer monitor away from the production line.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Paulos M. Natnael* whose telephone number is (571) 272-7354. The examiner can normally be reached on 8AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *David Ometz* can be reached on (571)272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Paulos M. Natnael  
Primary Patent Examiner  
Art Unit 2622

December 10, 2007